

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Ct. 1 -- 18 USC 922(g)(5) (illegal alien in possession of firearm)

Ct. 2 -- 8 USC 1326 (illegal re-entry)

Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

Ct. 1 -- 10 years' imprisonment; 3 years' SR; fine – greatest of \$250k or 3x gain/loss; \$100 SA

Ct. 2 -- 2 years' imprisonment; 1 years' SR; fine – greatest of \$250k or 3x gain/loss; \$100 SA

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Ben Horton, Special Agent, Immigration and Customs Enforcement

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocsecution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

08 Mag 70476

Name and Office of Person

Furnishing Information on

THIS FORM

Joseph P. Russoniello

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

W.S. Wilson Leung

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

AUG 7 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

JONATHAN CRUZ-RAMIREZ

DISTRICT COURT NUMBER

CR 08

0531

JSW

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

E-filing

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges

} Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST 7/25/2008 Month/Day/Year

Or... if Arresting Agency & Warrant were not
 This report amends AO 257 previously submitted

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY 7/25/2008

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount:

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

1 JOSEPH P. RUSSONIELLO (CABN 44332)
 2 United States Attorney
 3
 4
 5
 6

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FILED
 AUG 7 2008
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JSW

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,) Criminal No.: 08
 12)
 13 - v. -) VIOLATION: 18 U.S.C. § 922(g)(5) – Illegal
 14) Alien in Possession of Firearm; 8 U.S.C. §
 15 JONATHAN CRUZ-RAMIREZ,) 1326 -- Illegal Reentry
 16 a/k/a “Soldado,”)
 17 Defendant.) SAN FRANCISCO VENUE
 18)
 19)
 20)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

0531

INDICTMENT

COUNT ONE:

(Illegal Alien in Possession of Firearm)

The Grand Jury charges:

On or about July 25, 2008, in the Northern District of California, the defendant,

JONATHAN CRUZ-RAMIREZ, a/k/a “Soldado,”

then being an alien illegally and unlawfully in the United States, did unlawfully, willfully, and knowingly possess a firearm, to wit, a Makarov IJ-70 9x18 mm caliber handgun, serial number BB6854, manufactured in Russia and imported by Big Bear Arms of Dallas, Texas, in and affecting interstate commerce.

All in violation of Title 18, United States Code, Section 922(g)(5).

INDICTMENT

COUNT TWO:

(Illegal Re-Entry)

On or about July 25, 2008, in the Northern District of California, the defendant,

JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"

an alien, having been previously excluded, deported, and removed from the United States, and having subsequently voluntarily returned to and remained in the United States, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a re-application by the defendant for admission into the United States.

All in violation of Title 8, United States Code, Section 1326.

DATED:

A TRUE BILL.

4-7-08


Anna Väistö
FOREPERSON

JOSEPH P. RUSSONIELLO
United States Attorney

JAMES T. CHOU
Chief, Organized Crime Strike Force

(Approved as to form: W. S. Wilson)
AUSA W.S. Wilson Leang